

Discussion

The drawings were objected to under 35 C.F.R. §1.83a because the drawings must show every feature of the claimed invention. The terms which present concern were plastic mounting block, house and mounting block, and first and second set of opposite sides.

The plastic mounting block is already labeled 14 which is simply the mounting block. The fact that the block 14 is formed from plastic is disclosed at lines 14 and 15 of page 9.

Applicant does not provide a number for house, but does reference at page 7, line 20 "a wall 22 of building". Applicant has changed claim 1 to replace "house" with "building". Accordingly this should resolve the issues with the drawings. If this has not addressed any of the Examiner's concern, applicant would appreciate a telephone interview to resolve this.

With respect to the specification, the Examiner correctly noted that there was an error at page 5, lines 16-17, the term "mounting block" should have been stated as "electrical box 12". Applicant has amended this paragraph. The Examiner was further concerned with support in the specification for claims 3-4, 7-8 and 10-11. Claim 3 adds the limitation that the block is formed from a white plastic and the plate is formed from a non-white plastic. The fact that the box can be formed from white plastic is set forth at page 3, line 20. The fact that the plate be formed from non-white plastic or "colored plastic" is set forth at page 3, line 22. Claim 4 adds the limitation that the block is formed from a fire resistant material. This is set forth at page 3, line 20. Claim 7 adds the limitation that there is a mechanism to center the second opening with the first opening.

This is set forth at page 8, line 14. These are either the cross shaped bosses 95 or alternately the corresponding shape of the plate and the ring 34. Applicant has inserted that the tabs act as a centering mechanism to simply provide the antecedent basis.

Further, page 5, third paragraph has been amended to add a limitation holes 55 and 57 are located on opposite sides 38 and 40 and holes 56 and 58 are located on opposite sides 39 and 41 to provide the antecedent basis for this element in claim 8. This is not new matter as it is simply inserting the limitation from the claim into the specification and of course, the drawings disclose this information also.

With respect to claim 10, applicant has amended claim 10 to indicate that the second set of holes are 3.5 inches apart +/- .25 inches. This corresponds with the specification.

Finally, with respect to claim 11, applicant has disclosed at page 5 that the diameter of holes 55 and 57 is slightly larger than the diameter of holes 56 and 58 which would by implication mean that the diameters of holes 56 and 58 are smaller than the diameter of holes 55 and 57. Accordingly, applicant has amended claim 11 to correspond verbatim to the disclosure.

With respect to the double patenting rejection applicant has filed herewith a Terminal Disclaimer. This should overcome the objections raised to claims 1 through 7.

Claims 8-11 were rejected under 35 U.S.C. §102(b) as being anticipated by Lewis, U.S. Patent No. 4,666,055. Lewis discloses an electrical box with two sets of holes but does not disclose the two sets of holes being on two separate opposite sides. In order for Lewis to anticipate the pending claims, one set of holes would have to be positioned on walls 46 and 44 as opposed to both sets of holes being on walls 40 and 42. Further, Lewis

does not disclose a mounting block. A block presents a generally planar surface which is designed as an outer trim surface. The box in Lewis has no planar surface that would serve this purpose.

With respect to claim 10, this certainly is not disclosed. Holes 18 and 20, in Lewis, in fact, should be 3.25 inches apart. However, there is no disclosure that the other holes would be 3.5 inches apart. The structure disclosed in Lewis is not intended to support a light fixture. Applicant requires this spacing difference in order to allow the mounting block to mount either a duplex outlet as shown in the Lewis patent, or alternately, an electrical light fixture which typically is mounted with holes that are spaced 3.5 inches apart. The additional holes disclosed in Lewis are, in all likelihood, are intended for mounting the electrical box to a stud. They presumably would not be suitable for mounting an electrical light fixture because there is nothing for the threads of the screws to engage as there are in holes 18 and 20. Unfortunately, there is no mention of these holes in the specification. But it appears that these are simply mounting holes for the box based upon the appearance of the holes. Further, as stated above, the two sets of holes are not on two sets of opposite sides of the box.

In light of this, applicant would maintain that the case is in condition for allowance and would respectfully request allowance of the pending claims.

No fees or surcharges are believed due in connection with this submission, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this matter to Deposit Account No. 23-3000.

WOOD, HERRON & EVANS, L.L.P.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. J. Lunn', is written over a horizontal line.

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